

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

PRECIOUS OKEREKE,

Plaintiff,

v.

Case number 04-74050

Honorable Julian Abele Cook, Jr.

MASSACHUSETTS' POLICE COMMISSIONER
and MASSACHUSETTS' NEWBURYPORT
DISTRICT COURT,

Defendants.

ORDER

On September 8, 2004, the Plaintiff, Precious Okereke, commenced this cause of action against the Defendants, Massachusetts Police Commissioner and Massachusetts Newburyport District Court, contending that the Defendants violated her federal and state civil rights and right to due process pursuant to the Fourteenth Amendment of the United States Constitution.

In an Order, dated March 21, 2005, the Court ordered Okereke to show cause why this suit should not be dismissed for frivolousness to which Okereke failed to respond. As a result, the Court must evaluate Okereke's claims on the basis of her Complaint. Federal Rule of Civil Procedure 11(b) prohibits a party from filing pleadings in which the claims, defenses, and other legal contentions therein are not warranted by existing law or are based on a frivolous argument. Upon a review of the record, the Court finds that Okereke has failed to set forth sufficient facts with a reasonable degree of certainty to support her claims that the Defendants violated her civil rights and right to due process. Thus, this matter is frivolous and must be dismissed.

Accordingly, this cause of action is dismissed and Okereke's petition for *in forma pauperis*

status is denied.

IT IS SO ORDERED.

DATED: April 29, 2005
Detroit, Michigan

s/ Julian Abele Cook, Jr.
JULIAN ABELE COOK, JR.
United States District Judge

Certificate of Service

The undersigned certifies that a copy of the foregoing order was served on the attorneys of record by electronic means or U.S. Mail on April 29, 2005

s/ Kay Alford
Courtroom Deputy Clerk